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POLITICAL OPTIONS FOR CALIFORNIA

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If it were ever possible for the “old days” to come back—they are almost here. It isn’t possible, of course, because the past always looks better in retrospect, and there are still many problems facing the state, but things are looking pretty good for California. The recent past of recession, repetitive natural disasters, ethnic division, and major political battles in Sacramento are—if not entirely a thing of the past—certainly simmering below the boiling point. The end of the century finds the Golden State with relative comity between the executive and the legislature. Democrats control both houses of the legislature and Governor Gray Davis’ first year in office must be counted a solid success, even if he may never be a wildly transforming leader. He is steering a cautious, centrist ship—as he said he would—that was slow to hoist its sails but showed real strength by the time the legislative year ended.

Despite solid union support that came early in the race and stayed throughout, Davis did not promote unrestrained adherence to labor’s agenda, anymore than he has promoted unrestrained adherence to any agenda. Still, there is no doubt he will remain labor’s candidate for the foreseeable future and the difference between his approach and that of the legislative leadership, as one observer described it, is primarily at “the edges. Davis will be judged by labor’s leadership more on the appointments he makes than the bills he fails to support.” It matters more, for instance, whom he appoints to head personnel for the administration, and who become judges. In the meantime, because of the prosperity, the administration will be able to move forward slowly on rebuilding the too long-neglected public infrastructure in the interest of both labor and business.

“Centrism,” and the Governor’s promise to be the leader of the whole state – not just those who voted for him – did lead to occasional moments of concern among Davis supporters, such as when the Governor announced he wanted only a few health care reform bills shortly after a fund raising meeting with health care providers, or when he declined to sign a bill that would measure just how much the police rely on racial profiling when they stop drivers. The end is not yet in sight on the health care front—and it will remain a highly charged issue in the coming year despite initial steps that got strong praise around the country, permitting some relief in what is probably the largest political cloud on the horizon. By the same token, we can also probably expect a move to regain minority support to counter the failed profiling bill.

The 1998-99 legislative session was unusually productive—even if it hasn’t moved beyond initial steps on many fronts—because it broke the log-jam created by a Republican governor running for president and a Democratic legislature with a very different agenda. While the flow of legislation is clearly moving, the Governor seems determined to prevent a flood downstream and declined to sign more than a few bills in each major policy area. Besides taking significant baby steps in health care reform, Davis signed new legislation on the environment

and education. He signed a compact with the Indians on gaming, averting continued court battles and another expensive initiative. He won on the resolution to Proposition 187, the anti-illegal immigrant proposition that has been in the courts ever since it passed in 1996, effectively nullifying it through mediation rather than protracted appeals. And he stepped to the head of the class in gun control legislation, pushed particularly by each new shooting around the country, with the Los Angeles Jewish community center shooting occurring just at the end of the 1998-1999 legislative session. For awhile, it appeared there would even be a resolution to water—one of the longest running state issues—but peace appears to have eluded the interests yet again. Still, there is hope for a new effort on water, as there is in many areas on which only the tips of passing ice bergs have been noted such as health care.

Another element in the Governor's cautionary approach to taking the reins of power reflects the fact that Gray Davis is more of micro-manager than a broad visionary, and he has moved very slowly to create his administration in the first year of a Democratic administration after 16 years of Republican rule. He was so slow, in fact, that the publication of a new state government directory was delayed because there were too many vacant offices. It is a condition likely to last well into—if not through—the year 2000. The consequence is a clear sense of the centrist directions he will take, but the path trodden has yet to reach into all the nooks and crannies of state government. In the meantime, Davis is demonstrating a growing mastery of the legislature and the pitfalls of the political process. Experience—his major qualification for election touted during the campaign—has made a difference. It is likely that he will become increasingly powerful in the state, maintaining a balance between the major parties and the major interest. The one issue that will require unusual footwork—where partisanship is its own reward—is the redistricting that will follow the 2000 census. By the time he is termed out of office, Gray Davis could be a presidential contender.

THE POLITICS OF THE STRUCTURE

The Looming Census

There is much at stake for California's redistricting. The state will pick up one or two House seats after the 2000 census, and the combination of more seats -- and seats that are more Democratically drawn -- could mean a shift of five or six seats to the Democratic side of the aisle in Congress. That shift could determine which party holds the leadership and the policy and resources that flow from it. A constitutional amendment proposed by former state senator Oliver Speraw that may be on the March ballot could short-circuit such Democratic artistry and undercut Democratic aspirations for the beginning of the new millenium. It would transfer authority for redistricting from the legislature to a three-member "Citizen Masters" panel, drawn from retired non-partisan judges, assisted by demographic experts. Under this proposal, senate and Board of Equalization districts would correspond to assembly districts, voter registration and voting patterns would be prohibited from consideration, meetings would be public, and appeals would have to be made within 30 days to the State Supreme Court. The panel would also be responsible, of course, for congressional redistricting.

Whether or not such a proposal would pass the federal Voting Rights Act requirement that districts promote the possibility of minority representation doubtless remains to be determined in the suit that would follow its passage. But given the relative peace and prosperity in the land now, it may not get the usually-overwhelming vote of support among Californians hostile to politics and politicians that has been behind earlier tax and term limits. The outcome of this – and all the other initiatives likely to be on the March ballot may also be more determined by the state of the presidential race at that point. If Texas Governor George W. Bush looks like he might have some challengers, it may generate more Republican voting. If Bill Bradley runs strongly against Vice President Al Gore, that horse race could bring out more Democrats. The Reform Party, which lost its automatic place on the ballot when it failed to get 5 percent of the vote in the last statewide election in 1998, will have to re-qualify and probably won't be a factor in California until the November election, if then.

Other generally anti-political measures include a redistricting measure put on the ballot by anti-tax advocate Ted Costa that would give responsibility for redistricting to the state Supreme Court, put a \$75,000 cap on legislative salaries, and a maximum per diem expense allowance of \$75. It would allow adjustments to state officers' salaries and benefits only when approved by the voters. In a particularly pointed provision, it would require forfeiture of legislators' salaries if the budget is not passed by June 15 each year. There will be another measure that provides an option of "none of the above" for each office on the statewide ballot. Presumably, that wouldn't change the outcome of an election, but it would certainly register voter dissatisfaction!

Whether the mood of the electorate will be whimsical enough to change the rules of the game, there is a great deal at stake in redistricting. Left to their own devices, Democrats could define safe seats for themselves for the next 10 years, both in the state legislature and in U.S. House seats in Congress. While past redistricting efforts could hardly be counted a good case for small "d" democracy in action, an argument can be made that California will become increasingly Democratic anyway. This is likely especially if Latinos remain within the fold and are slow-to-never forgiving of Republican hostility in the Wilson years through the anti-immigrant/ethnic propositions of 187 and 209. The drawing of legislative districts, however, could isolate and all but eliminate Republican strength. Doing so—while pleasing to Democrats at home and in the rest of the country—might not work as well for the Governor because, as he has noted on more than one occasion, he wants to be the governor of the whole state, not just its parts. A solid Democratic majority would certainly alienate Republican business support, and make it just a little bit harder for the Democratic governor to play off his own party's leadership in the legislature. As a moderate, "third way" Democratic in the mold of President William Clinton and British Prime Minister Tony Blair, Davis personifies the centrist way that is so frustrating to the devoted on the right and the left, even if it is much more palatable to the majority of Americans.

The Politics of Parties

The case can be made that one-party hegemony sows the seeds of its own demise in a two-party system because the disaffected of the "in" party will swing to the "outs"—assuming the parties are relatively centrist. But there is too much history to make it a very strong argument.

The parties do shift from time-to-time, but more often the politics remains constant: the one-time conservative Democratic South has become conservative Republican, just as the one-time liberal Republican Northeast has become the liberal Democratic Northeast. California's major political tradition is essentially a-political, much more reliant on a strong civic than a strong political culture, which isn't to say that there is no strong partisan loyalty when partisan elections do come into play. Republican political consultant Allan Hoffenblum noted that "the conservative Democrats who started voting Republican for Ronald Reagan are still voting Republican. It's just that they are voting Republican in Utah, Nevada, Arizona, Texas, Oregon and Washington." Since the civic culture is in some disarray, given the changing nature of business engagement around the state and the decline of membership in voluntary organizations nationwide, perhaps California will develop a political consciousness that has more appeal to the middle than the fringes.

At the moment, those Republican still living in the state seem to be more at war with themselves than the Democrats. Did they lose the 1998 statewide election because they were too conservative, given gubernatorial candidate Dan Lungren's position on abortion and the years of anti-immigrant rhetoric in the last Wilson administration? Or did they lose it because they were not conservative enough? The recriminations on a variety of issues and actions almost always comes with loss at the polls. But the uneasy coalition that has made up the Republican Party for a number of years -- both in California and nationally -- of the Christian Right, which is socially conservative, but often economically liberal; and the economically conservative, which is socially liberal -- may be coming to terms with itself after a particularly nasty partisan year in Washington and the impeachment of President Clinton. The role played by several Californians in the process -- particularly Republican Congressman James Rogan -- has made him a year 2000 target for defeat by Democrats and triumph by Republicans around the country.

For whatever reason -- or combination of reasons -- the California G.O.P. has lost a million registered voters since November 1998, and was over a quarter of a million dollars in debt by the end of 1999. Moderates in the Party were encouraged by the strong opinion poll showing of George W. Bush in the presidential race, but presidential politics is not likely to be enough to resolve a very serious fault line in the ideological terrain.

The Politics of the A-Political

Another interpretation of the California political map suggests a largely a-political population, seeded with strong advocates on both the right and the left who come to their positions out of the intense moral belief that they are leading the best of all possible lives, and the rest of the world is at odds with what they think it should be. It is "Americanism" carried to extremes, partly because of the good climate ("You have to remind yourself to be depressed when the sun shines so often," was a comment by one political analyst passing through the state), and partly because most Californians moved here with the express purpose of building the best life they could for themselves. If the middle is anything, according to this theory, they might be considered to be libertarian: they want to be left alone. They don't trust government and they don't trust politicians. It accounts for the historic radicalism on the right in Orange County, and the radicalism coming from Berkeley on the left. But will the middle still want to keep taxes down when they are concerned about education and health care? Bonds have been passing the

super majority test required by Proposition 13 in many local elections around the state recently. The concern for the state's quality of life issues is widely shared, especially by the more mainstream interests of business and labor.

An unknown factor in this equation concerns the newer populations, forecast to increase by the population size of New York state in the next twenty to thirty years. A significant part of the increase is expected to come from the birthrate, particularly among Latinos. And at least a majority—if not more than two-thirds—are apt to vote Democratic at adulthood. Immigration, which slowed during the deep recession of the early 1990s, is also picking up again, and American-born whites are now returning to the state for the first time since they began leaving during the recession, uprisings, and natural disasters of the early '90s.

Partisanship Aside – the Census Also Means Money and Position

While the census is required by the Constitution, the politics surrounding it at the federal level are highly partisan. The census will go into the field in April of 2000, following several Supreme Court rulings last year affecting the process. The Constitution calls for an “enumeration” of the residents, which the Court held means a physical count by mail, or by a census-taker actually knocking on the door. Historically, that has meant an undercount in cities and rural areas. Politically, it has added up to an undercount among Democratic supporters and thus an over-representation of Republicans. But more importantly for most Americans, the census is also used for the per capita distribution of both federal and state money. Los Angeles, for instance, calculates that it lost over \$200 million in the years between 1990 and 2000 because of the undercount.

A proposed solution is to use statistical sampling to correct the enumeration. When the Democrats controlled Congress during the 1990 census, they wanted the Census Bureau to use sampling, but the Republican administration of the time had no incentive to do so. As we approach the 2000 census, the party roles are reversed: Democrats control the Bureau and Republicans control Congress. In 1998, while the Supreme Court held that only the enumeration can be used for the purposes of redistricting Congressional seats, it would permit sampling for other purposes, i.e., for redistricting at other levels of government, and for the allocation of per capita funding. That will, of course, work to the advantage of Democrats at all levels of government in the state, as well as the state's urban areas. The consequences of any redistribution may not tell immediately, but could show up when the economy eventually does take a downturn and the welfare rolls go up, or if devolution continues at the federal level and more and more of the traditional entitlements are left up to the states to divide.

At the narrowest level, those most affected by redistricting are elected officials in the state who must begin looking over their shoulders to see how changes in districts affect their capacity to be re-elected, or to move up—or down as the case happens to be for legislators who have run their course in the state senate and are considering assembly seats—to other offices. Democratic control still pits one Democrat against another. They've got to watch both who their likely opponents could be, and who their likely constituents could be. One way to do that may be to become more moderate, positioning themselves on issues likely to have broader appeal to more varied constituencies.

The Early Primary

Moving the primary to March was designed to give Californians a say in the presidential selection process. Before it was modified by the voters in 1998, the presidential primary in the state usually came in June. By that time, the selection process had winnowed its way down to one major front-runner and, perhaps, another candidate or two who did not stand a real chance of catching the front-runner, but did represent a specific, if minor part of the party's constituency. The theory is that by moving the primary date up California would have the opportunity to put in its 2 cents worth before the gates on the race are closed.

Unfortunately for California, almost every other primary state decided to move up the date for the same reason, and the net effect may be to limit the choice to frontrunners able to raise the money it takes to run a statewide race in a state the size of California very early in the process. With money a priority—and the need to demonstrate front-runner status even before the box is opened—the presidential race has started earlier than ever. Without a single vote cast for a convention delegate by the end of 1999, most of the dark horse long shots will be long gone from the race.

Another consequence of the early primary for the state, however, is that a March presidential primary also affects every other primary race in the state. There is apt to be very little legislative activity passing through in Sacramento, particularly, in January and February, and that is one more reason to expect less in the Millennial legislative session. Every open seat—and there will be many because of term limits—will doubtless see competitive races. At the Senate level, at least, there will likely be termed-out Assembly members vying with each other for the prize of their party's nomination, given the fact that there are two Assembly seats nested into each Senate seat.

Term Limits

Term limits at the state level are now an accepted inevitability in California, having passed into law in the early 1990s, and finally exhausted all appeals in the courts. As a result, the creative desire of elected officials to continue serving (or continue living off the public dole—depending on your political inclinations), is manifesting itself in a somewhat unforeseen manner, i.e., the creation of new positions for retiring office holders. These *soft landings* have their good points and bad points for the future of the state governmental and political structure. But one thing they are not – that which the voters anticipated when they chose “citizen politicians” over professionalism in Proposition 140 – is a way to open the system up to newer voices. On the other hand, they are a way to keep experience around.

The most important impact of these newly-created positions is not who fills them as much as it is how they potentially redistribute authority in California. The trend is toward the creation of oversight entities with responsibilities below state government, but above local government. The traditional structure of local, county and state governments has had an overlay of regional entities for many years when it comes to issues that are perceived to be regional in nature: air quality and the environment in general; the long California coast; and transportation.

The purposes of these agencies were obvious, whether they were regulatory in nature or merely advisory. Their function was to solve regional problems. But the motivation behind these newer entities, while undoubtedly prompted by legislators looking for the next job, also reflects apparent disenchantment with local government's ability to solve problems.

Scandals, or just outright frustration, hit the headlines in a number of policy areas: school boards, the police, mass transit authorities, collection of child support, redevelopment, and so on. Proposals for solutions coming out of the legislature call for the creation of special boards of either appointed or elected officials to provide fiscal oversight, or to take charge in general. There was a proposal, for instance, to put the port, airport, the county sanitation districts and other agencies into one consolidated structure in San Diego, put forward by State Senator Steve Peace, that would be an elected body independent from either the city or the county. There are already new boards to deal with workers compensation insurance applications, health inspectors, as well as HMO oversight. There are similar efforts to consolidate port authorities and water districts, and there are apt to be more to come.

Even though a cynic would see these efforts solely in the context of soft landings for termed-out politicians, they also reflect a loss of confidence in the political system that prompted the passage of term limits in the first place. But they might have an entirely unforeseen impact, following the "law of unintended consequences" that always seems to be upheld when it comes to political reform. By increasing the number of offices held in the state, they could open up the political system to more voices, encouraging a more politically-aware culture than California has seen for some time. The traditional civic culture, weakened by a changed economy and population, may no longer be sufficient to handle the needs of a complex, multi-cultural, multi-national society. More offices—and more opportunities—to engage the population might turn out to be a very good thing in the long-run, even if it is just the opposite of the presumed goal of term limits.

Whether or not these overlay agencies succeed in improving the quality of service delivery, of course, remains to be seen. At least some of them are prompted by the frustration of residents about local scandals, such as Belmont High School being built in Los Angeles over a contaminated oil field. The idea of creating a state body to oversee school construction has some appeal, certainly, but it raises the question of accountability. Will these agencies increase confidence by bringing skills and experience? Will they do a better job, or be more accountable to voters? Or is this just another round in the California political tune of pretense that we don't have politics in our politics?

THE POLITICS OF ISSUES

Governor Davis held a special session of the legislature last year to pass his proposals on education, taking the first step in his campaign pledge to be the "education governor." Each year will doubtless see increasing scrutiny of whether or not the legislation passed made a difference in the dramatic fall of California's educational system since the passage of Proposition 13 in 1978, but putting his money where his mouth is, is certainly a reasonable first step. Having dealt

with one issue, the Governor is very methodically moving to deal with other issues, albeit in relatively small bites.

Issues expected to be addressed in 2000 include gun control—becoming stronger and stronger with each passing shooting by children or hate mongers, even though California now has some of the toughest anti-gun legislation in the country (including the spate of legislation passed and signed into law in the last days of the legislative session that ended in September of 1999); prison reform (or prison “building” as the case happens to be); auto insurance; water—a perennial source of controversy in the state—and most certainly health care.

Other issues that drove the state’s political tides in the recent past seem dead or dying. Proposition 187, the anti-illegal immigrant proposition associated with former Governor Pete Wilson’s re-election bid in 1992—and passed by more than 60 percent of the voters—is effectively dead. It was initially overthrown in the courts, but finally bit the dust leaving only a minor legislative trail that makes it a crime to manufacture or use illegal documents. The Governor’s decision to put the issue to mediation—instead of just dropping the federal district court appeal started by Wilson—alienated both supporters and opponents at the time, but did enable him to drop any further appeal. The dilemma Davis faced was one he expressed often during the campaign: if elected, he would swear to uphold the law of the land, even that which he had campaigned against. Clearly, Prop 187 had popular support and dropping it could have had political as well as legal ramifications. The successful mediation drew little public attention, but did effectively end the issue.

Consolidation and Water

One area where the political consolidation of state and local agencies consolidation may take place deals with the most enduring political issue in the state: water. For awhile, it looked as if Calfed, the organization put together to bring all the stakeholders in the region on the issue together would work, despite an on-again/off-again history over the past year. Going into the next century, however, the prospects are not very good. In the view of one long-time observer, there were two fatal flaws from the beginning: 1) the belief that every stakeholder had the right to veto any other stakeholder; and 2) that decisions have to be consensual. While optimists might argue that both premises are the wave the future, the inability to find a solution—even with the direct intervention of U.S. Secretary of the Interior Bruce Babbitt—suggests there may be some merit in pessimism. Assuming the water bond on the March ballot passes, the Governor’s office is already working on a plan to address the water issue in the post-Calfed era. Expectations are that it will be aggressive and expensive, but it will impose a settlement on all the parties.

One could imagine each stakeholder taking issue with every stakeholder, but even with the shifting issues of the moment, the traditional breakdown of opponents in California water wars are as follows: North v. South, agriculture v. urban (or a slightly different variant: rural v. urban), and environmentalists v. agriculture. And then there are the water districts themselves. One possible solution to the problem of having 80 percent of the water in the North, and 80 percent of the population in the South, may be greater use of groundwater and less reliance on aqueducts and their alternatives such as the Peripheral Canal. Using more groundwater in Southern California would also mean drawing considerably less than the current 7 million plus

acre feet that we are now taking from the Colorado River, which is well above the agreed upon allotment. Advocates of this position suggest we could get by with 4.4 million acre feet of river water, which would certainly improve our relationships with neighboring states.

Opposition to this plan comes, in part, from such institutions as the Metropolitan Water District because it would lose income if we do not buy or transfer water from its sources. Whatever the solution, experts expect it will come from the Governor's office and be more a reflection of his will than the less focused process used thus far.

Tax Revenue

Ever since Proposition 13 passed into law in 1978, observers have been watching and waiting for the sky to fall. Throughout the 1980s, the good economy hid the widening cracks in state/local financing, but the recession of the early 1990s had a profound effect. By the time the recession was over, California had slipped near the bottom of the list of school funding. It had a disproportionate number of residents without health insurance, and more than one local county or community wavered near bankruptcy. The issue is not just the amount of money, since given the increase in both the economy and population, it has not been an aggregate loss. Rather, the concern is over the control of revenue. Most specifically, the loss of control by local governments of their revenue. Prop 13, and its sibling propositions passed by the voters and written into the constitution have shifted control away from cities, counties, and school districts, making these governments increasingly vulnerable to economic shifts. In low periods it means declining services and increasing frustration.

Since 1978, the flow back of tax revenue depended on how the state's own budget was doing, making local governments "increasingly vulnerable to fluctuations in the budget cycles of these other governments," according to a recent study by the Public Policy Institute of California.¹ History suggests that when things are tough in Sacramento, local governments wait until the state balances its own budget. While there is no immediate expectation of an economic downturn, when it does come—as it surely will someday – and when welfare recipients have exhausted their 5-year aggregate opportunity to have support – the relations between state and local government will become very dicey, indeed. It is one of the ironies of government as a safety net: the time you need it the most is exactly the time when it has the least to offer.

One of the few marginally-discretionary taxes available to local government in California was the sales tax, although until the law was changed last year permitting localities to share the sales tax in an effort to stem the competition between communities for shopping malls and other sources of such revenue, cities and towns tended to work against their neighbors. While the issue of state tax revenue has been controversial for decades, what makes it a coming political issue now is the Internet and the current agreement at the federal level that sales tax will not be charged on e-commerce unless the seller has an outlet in the state in which the buyer lives. The arguments for restraint in imposing taxes on this very free enterprise are fairly easy to understand because it is a new industry that will clearly have a very great impact on commerce in the years

¹ Michael A. Shires, *Patterns in Government Revenues Since Proposition 13* (San Francisco: Public Policy Institute of California, 1999), p 1x.

to come. But just what that impact is—or in how many years—remains to be seen. Unfortunately for California, the future seems nearer than it might be in many other states. What appears to be spreading out the costs when one looks at it nationally, does not appear quite so even when so much of the commerce either comes out of, or into, the state.

The loss of sales tax revenue to e-commerce could turn out to be quite profound. Even though municipalities get only 1 percent from the 8 percent tax, the consequences of Internet sales tax avoidance will only make the current squeeze just that much tighter. The loss of sales tax to e-commerce could turn out to be as crippling to state and local government as Prop 13 was twenty years ago unless there is some resolution, perhaps at the national level.

There was some hope that term limits would bring legislators to Sacramento who had experience in local government and understood the problems of local finance in the state. While clearly more local officials have moved up, there is a growing suspicion that once there, they come to believe that the state level they are at is better able to look after local needs than local government is. Presumably, if they moved up to Congress, they would feel the same way about Washington's ability to solve problems. For whatever reason, new legislators has not added up to a revised view in Sacramento.

INITIATIVES

Because of the presidential race – both the primary in March and the general election in November – draw the largest number of voters to the polls, they are also popular for those seeking changes in California law through the initiative process. At this point, there are already a number slated for the ballots. Some of the most important include the following:

California Voters Bill of Rights

Proposed by former Republican gubernatorial candidate Ron Unz and California Secretary of State Tony Miller (the only state Republican statewide office holder to survive the Democratic blitz in 1998), would amend the Political Reform Act of 1974, providing a kind of public financing in the form of credits for media and mailings. It would reinstate contribution limits that were thrown out when previous campaign finance reform initiatives were declared unconstitutional by the courts, and continue to allow “soft money” exemptions to the political parties.

Currently, California has one of the most wide open campaign finance regulations in the country. There are no limitations, only disclosure. This proposal would set the limit at \$5,000 for statewide candidates, and \$3,000 for legislative and local candidates. Federal contribution limits are \$1,000 for individuals and \$5,000 for political action committees. In some charter cities, such as Los Angeles, the limitation is set even lower -- \$1,000 for citywide races, \$500 for council districts. While it is unlikely that the state law would supercede local charter provisions because those provisions were specifically voted in, the Unz proposal is somewhat controversial. The League of Women Voters and Common Cause, for instance, both of which have been leaders in campaign finance reform advocacy both statewide and nationally, oppose this initiative because

of the soft money provisions, feeling it would only further encourage cynicism among voters. As in most California initiatives, success or failure in March will depend on the campaign.

Mandatory Parental Notification

This right-to-life proposal is aimed at the November ballot, which will draw the largest number of voters. The purpose is to require a young woman to seek a judicial waiver if a parent or guardian is not to be notified before an abortion. Pro-choice advocates argue that such a requirement would be intimidating and likely to lead to illegal abortions, causing unnecessary health risks. Proponents argue for parental involvement.

Simple Majority for Local School Bonds Initiative

This proposal is another in the long line of desperately-sought ways around Proposition 13's limitations on local finance. The current law requires a super-majority of two-thirds of the vote to raise taxes or sell bonds. Over the years, it has been responsible for the failure of many bonds and the declining support for schools, even when a majority – sometimes even a strong majority – would prefer the expenditures. The issue becomes complicated because a large proportion of voters are older and white, without children in the public schools. A large portion of the school-aged population and their parents are young, non-citizen, and people of color who don't turn out at the polls.

Juvenile Justice Crime Prevention Act

This proposal will appear on the March ballot and would make substantial changes to current policies for juveniles in the State regarding prosecution, sentencing and incarceration. Supported by former governor Pete Wilson, it would impose mandatory adult court jurisdiction for anyone 14 or older who is charged with either capital murder or serious sex offenses, and generally increase the number of offences for which teenagers can be tried as adults. It takes a tougher stance against probation for juveniles, mandates detention for a number of offenses, and transfers juveniles 16 and over convicted of adult crimes to the Department of Corrections from the Youth Authority. It increases prison sentences for crimes committed by gang members and changes the standards for prosecuting crimes related to gangs, including expanded use of wiretaps. Further, it takes a tougher stance for those convicted as adults under the Three Strikes laws, including requirements for a greater percent of time served before someone is eligible for parole and adds longer sentences for those convicted previously of violent and serious offenses. Finally, it puts more crimes to the "violent and serious offenses" list.

If the measure passes, the Legislative Analyst's Office estimates the cost to be at least hundreds of millions of dollars annually to the state budget, and at least tens of millions annually to local governments around the state. Combined with the already-burgeoning budget for prison building and maintenance, the state's crime prevention budget—which has already passed spending in education – will have major fiscal implications for the future. While crime is unquestionably down in the state, the political waters have yet to be seriously tested on whether voters have switched their priorities, although a case could be made that Lungren lost the

election for governor in 1998 because he was too focused on crime, compared to Davis' number one priority on education.

Definition of Marriage

Another socially-sensitive proposal, also known as the Knight initiative after Senator William J. "Pete" Knight, would recognize marriages only between a man and a woman. In the late hours of the last session, Governor Davis signed a bill creating a register for partners that would, in effect, recognize both same-sex domestic partnerships and cohabitation by other couples such as older persons who do not want to lose Social Security benefits. The bill passed the State legislature by a narrow margin, but it could be reversed should the voters opt to support the Knight proposal.

Liability for Infidelity

Another proposal from the conservative wing of California Republicans, this proposal would impose both civil and criminal liability for infidelity, which is defined as voluntary sexual intercourse between one spouse and a third person without the other spouse's knowledge and consent. "Spouse" is defined to include only persons of the opposite sex, but includes cohabiting relationships without benefit of legal wedlock. Conviction might require a public apology, monetary damages, or jail time. The Legislative Analyst's Office could not put a monetary value on proposal, except to say that – if many cases are brought – it could be significant. Presumably, this is a modern alternative to branding (as in the use of the letter "A" in old New England), or to stoning – as is the Biblical requirement, although the definition of adultery is not quite the same.

Education Measures

There is a proposal on the ballot to revoke Proposition 10, which passed narrowly in 1998 and provides funds for pre-school programs through a tax on cigarettes; and another known as the Cardenas Textbook Act of 2000, to use revenue from the state lottery to buy school books. The repeal of Proposition 10 is obviously backed by the tobacco interests, but at this point – when the Prop 10 commissions created in each of the state's counties are just getting off the ground – it is another instance of stop/start policy. And, perhaps more importantly, another example of the zero sum game that is the nature of public policy made by initiatives. Had the proposal to tax cigarettes gone through the legislative rather than the initiative process, it is likely that there would have been a compromise worked out between the interests. If the current proposal passes, it will only reflect the interests of one side in the debate. The loser then – as the loser now – may come back again in 2002 with yet another proposal for the voters to raise the price of smoking and the resources for education.

Given the money available from Prop 10, there is another brewing issue between the commissions the initiative set up to distribute the funds and county governments, which may come to view it as more properly theirs to disperse. It is – again – one of the growing problems of sorting out levels of government in California. There are few models of these state agencies operating at county levels right now, although one is LAFCO (Local Area Formation Commissions), which is primarily designed to resolve issues of annexation to local governments.

The Los Angeles LAFCO, however, is addressing the question of detachment – secession – of the San Fernando Valley and Harbor areas of the city. For an agency used to operating almost invisibly, it may bring such issues to the fore in a big way in the next few years. The controversy will undoubtedly also raise questions about similar efforts in other fields.

There are also proposals for after-school educational and gang prevention programs based on increased sales and use taxes, and a proposal for school vouchers (a perennial and perennially-controversial subject that threatens the public school system). Other initiatives circulating petitions to qualify for either the March or November ballot include a proposal for reserving at least one minute a day for voluntary prayer and the pledge of allegiance – an equally perennial and controversial subject that is a high priority of the right wing of the Republican Party. Also circulating is a gun control proposal to prohibit the manufacture, sale or lending of ammunition magazines with more than 10-round capacity – a goal of the left.

CONCLUSION

Politics as a subject will be a more visible issue in the state in the year 2000 because of the presidential election and the coming census. Despite the continued pressure for the priorities of the left and the right in California, most of the issues are apt to be resolved in favor of centrist moderation. If there is any direction discernable now—given the problems within the state's Republican Party, and growing public support for such issues as gun control – the agenda will lean more toward the left, if it leans in any direction at all. The driving conservative pressures and wedge issues of the early years of the 1990s have abated. Prosperity is usually its own reward for politicians, assuring incumbents a free ride, and weakening attacks against the establishment in all its many incarnations.

Term limits, of course, will keep the pot simmering, even if not actually boiling. Still, we may be in for a period of calm on most political fronts. One possible exception to this rosy prospect may be the need to keep issues churning so that they can be ridden to victory by wealthy candidates who can afford to link their futures to their own dreams. Even if the Unz proposal passes in 2000, there will still be no limit to the money wealthy candidates can spend on their own behalf because of the U.S. Supreme Court ruling in *Buckley v. Valeo* in 1976. Campaign finance advocates believe it will probably take a constitutional amendment to persuade the Court to change its mind on that issue, although it will come again to the Court this year.

The most immediate consequence of the absence of spending limits in California will be the race for the United States Senate seat held by Dianne Feinstein. Ron Unz – who challenged Pete Wilson for the gubernatorial nomination in his re-election campaign in 1994 – has announced that he is seeking the G.O.P. nomination to oppose Feinstein. It promises to be an expensive race that could surpass her last campaign against multi-millionaire Michael Huffington, especially given his own initiative on the ballot. The Feinstein/Huffington race was the most expensive in California history, until the next gubernatorial primary battle on the Democratic side in 1998 between Al Checchi, Jane Harmon and Gray Davis, who saved his funds until the

end, letting the other two wear each other down with negative advertising. Between the presidential race, the initiatives, and the battle for Senate seat – to say nothing of the open legislative seat – the year 2000 will be rather noisy from a political perspective.